

1 MAYER BROWN LLP
DALE J. GIALI (SBN 150382)
2 *dgiali@mayerbrown.com*
KERI E. BORDERS (SBN 194015)
3 *kborders@mayerbrown.com*
REBECCA B. JOHNS (SBN 293989)
4 *rjohns@mayerbrown.com*
350 South Grand Avenue, 25th Floor
5 Los Angeles, CA 90071-1503
Telephone: (213) 229-9500
6 Facsimile: (213) 625-0248

7 Attorneys for Defendants
CAMPBELL SOUP COMPANY
8 AND PEPPERIDGE FARM, INC.

9
10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**

12 DENISE CLEVELAND AND LANNA
RAINWATER, on behalf of themselves and all
13 others similarly situated,

14 Plaintiffs,

15 v.

16 CAMPBELL SOUP COMPANY AND
PEPPERIDGE FARM, INC.,

17
18 Defendants.
19
20
21
22
23
24
25
26
27
28

Case No. 4:21-cv-06002

**DECLARATION OF DALE J. GIALI IN
SUPPORT OF NOTICE OF REMOVAL**

1 I, Dale J. Giali, declare:

2 1. I am an attorney, admitted to practice before this Court, and am a partner at
3 Mayer Brown LLP, counsel of record for defendants Campbell Soup Company and Pepperidge
4 Farm, Incorporated (“Defendants”). This declaration is based on my personal knowledge and I, if
5 called as a witness, could competently testify thereto.

6 2. Public records indicate that on May 26, 2021, plaintiffs Denise Cleveland and
7 Lanna Rainwater (“Plaintiffs”) initiated the removed case, *Cleveland et al. v. Campbell Soup*
8 *Company, et al.*, Case No. RG 21101115, in the Superior Court of the State of California in and
9 for the County of Alameda, by filing a Class Action Complaint (the “Complaint”).

10 3. Attached hereto as **Exhibit 1** is a true and correct copy of the Complaint that I
11 received from plaintiffs’ counsel on June 16, 2021.

12 4. Attached hereto as **Exhibit 2** is a true and correct copy of the Civil Case Cover
13 Sheet that I received from plaintiffs’ counsel on June 16, 2021.

14 5. Attached hereto as **Exhibit 3** is a true and correct copy of the Civil Case Cover
15 Sheet Addendum that I received from plaintiffs’ counsel on June 16, 2021.

16 6. Attached hereto as **Exhibit 4** is a true and correct copy of the Attachment to the
17 Civil Case Cover Sheet that I received from plaintiffs’ counsel on June 16, 2021.

18 7. Attached hereto as **Exhibit 5** is a true and correct copy of Summons that I
19 received from plaintiffs’ counsel on June 16, 2021.

20 8. Attached hereto as **Exhibit 6** is a true and correct copy of all other documents on
21 file in the Superior Court, including the Notice of Assignment of Judge for All Purposes and
22 Notice of Case Management Conference, that I received from plaintiffs’ counsel on June 16,
23 2021, and/or as revealed on the public docket of this case.

24 9. Plaintiffs sent a Notice and Acknowledgement of Receipt to Defendants dated
25 June 15, 2021, which Defendants received on June 16, 2021. On July 6, 2021, Defendants signed
26 and returned the notice.

27 10. Defendants did not answer or otherwise respond to plaintiffs’ Complaint in the
28 Superior Court prior to removal and are not aware of any further proceedings or filings regarding

1 this action in the Superior Court. Defendants' time to answer or otherwise respond has not yet
2 run.

3 11. Notice of this removal will promptly be given both to plaintiffs and to the
4 Superior Court pursuant to 28 U.S.C. § 1446(d).

5 12. I declare under penalty of perjury under the laws of the United States that the
6 foregoing facts are true and correct.

7 Executed this 3rd day of August at Los Angeles, California.

8
9 /s/ Dale J. Giali
Dale J. Giali